of Governor of the Island of Cuba, much less at the head of the army of the United States.

A \$5,000 gift from persons whose very existence as an organization depended upon his will and pleasure, and who sought and received favors from him while accupying the exalted and important post of Military Governor of Cuba! However unpleasant it may be to reject this nomination, this body cannot afford and ought not to seriously consider the question of giving its approval to any such transaction.

Let it be done, and it will serve as a precedent and will be an invitation for all kinds of disgraceful conduct on the part of officers of the United States who have no more sense of propriety than Gov. Wood, and it will never lie hereafter in the mouth of this body to question the acts of impropriety and indecency on the part of any Government employee or official.

WHY NOT SUMMONS WOOD?

WHY NOT SUMMONS WOOD?

I wish to say just another word. At the conclusion of the evidence of Gen. Wilson, the Junior Senator from Ohio, Mr. Hanna, asked that Gen. Wood be brought before the committee of this body having this investigation in charge, to the end that he might answer the allegations and accusations made against him and relieve himself from the unjust, as his friends claim to be the case, imputations and criticisms made against his character, and quite a colloquy ensued, it being claimed by some of his champions that there was no reason for him to be heard; that there was nothing for him to answer; in a word, that he was self-vindicated.

This, I submit, was to me, and must be to every one, perfectly monstrous. When did come about that this individual, a doctor in

every one, perfectly monstrous. When did it come about that this individual, a doctor in civil life and a bloodless soldier in battle, if he ever saw a battle, has reached the exalted position that he is unlike other people and is not to be accountable to any one, not even to the Senate of the United States, and will not even honor it with his presence?

to the Senate of the United States, and will not even honor it with his presence?

Now, for my part, I want to say that it is due to Gen. Wood, it is due to the President of the United States, that he should not only explain but disprove many of the statements made in the evidence now here for consideration before confirmation should be thought of. The fact that he is willing to let this investigation go on without personally meeting it like a man is in itself strong evidence, to my mind, that he is not made of material that goes to make up soldiers such as we need for our Major-Generals and Chief of Staff.

The talk about the difficulty of his coming here is silly. It is simply evading the question. The truth is a brave and courageous man would rather resign a dozen commissions as Brigadier General than allow his character to be besmirched, his conduct assailed, his motives impugned, and his integrity and veracity sought to be impeached, if by giving up the same he could come in person and disprove the accusations made against him. And it is not necessary for him to resign in order to come.

THE CHARGES SUSTAINED.

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Nothing said or proved against Gen. Wood, indeed! Six positive and direct specifications, involving the integrity and honesty of his administration as Civil Governor, some of them against his character as a man and an officer, are made against him. Much evidence is introduced to sustain each of them; many witnesses, men of the highest character, great prominence and high order of intelligence, have been examined, and, at least as to some of the charges, it cannot be said that they have not been sustained.

I have particularized the evidence relative to two of the charges which reflect on his character, the specific charge in this respect being sustained, I submit, by the evidence of no less a person than Major-Gen. John R. Brooke of the United States Army, retired. No one can read the evidence of that distinguished soldier without being impressed with the fact that he knew that when his administration was being wickedly assailed by the papers of Santiago, his subordinate, the appointee here in command of that province, was not engaged, as he should have been, in endeavoring to stop the false clamor; but that, on the other hand, he and those in his confidence were quietly cooperating with and giving aid and comfort to his assailants.

WOOD'S CHARACTER AS A MAN SMIRCHED.

and giving aid and comfort to his assailants.
WOOD'S CHARACTER AS A MAN SMIRCHED.
Aside from these specific objections against
Gen. Wood, much evidence has been introduced tending to reflect directly upon his
character as a man by impeaching his integrity and veracity and showing his general
unreliability in the matter of business transactions and in making promises in reference
thereto. Two witnesses at least, each a
man of prominence, one a newspaper editor

actions and in making promises in reference thereto. Two witnesses at least, each a man of prominence, one a newspaper editor and the other the prominent educator hereinbefore referred to, and neither of whom are men other than of the highest character, testify unreservedly that they would not believe Gen. Wood on oath. It is also shown that while Governor of the island, as above stated, he so far forgot himself as to spend his Sundays at the gambling institution hereinbefore alluded to.

We also have it in the evidence that there was a newspaper man associatied with Gen. Wood who certainly, it was clearly proven, was an ex-convict, and the evidence would go to show that he exploited everything that Gen. Wood did to his general advantage and preferment, and that after being sent to the Philippine Islands he really tried to displace Gov. Taft and have his friend Gen. Wood made Governor General of the Philippine Islands. Witnesses testified that they broke with Gen. Wood because of his unreliability, and they were men who had been associated with him, giving as their reason unreliability and unfair treatments. From the testimony of that gallant soldier, Gen. Brooke, it would seem that if was elearly and expeditively proven fair treatment. From the testimony of the gallant soldier, Gen. Brooke, it would seem that it was clearly and conclusively proven that Gen. Wood was intriguing constantly against his superior officers

PORTO RICO LEGISLATURE. Loan of \$5,000,000 Wanted-To Reorganize the Judiciary.

Special Cable Despatch to THE SUN SAN JUAN, P. R., Jan. 11.-The Legislature opened to-day. The Republicans and Federals will join forces to secure the passage of a bill providing for a loan of Attorney-General Sweet proposes a com-

plete reorganization of the Judiciary sys-

Gov. Hunt's message to the Legislature recommends an increase in the excise taxation the adoption of the American Code of Civil Procedure, the formation of a special tribunal to settle questions between the Catholic Church and the Government, an appropriation for the study and eradication of tropical anæmia, which is ascribed to a parasite; an increase in the St. Louis exposition appropriation, and the establishment of industrial schools. It will be read to-morrow.

The Coffee Planters' Association has agreed to devote its efforts in behalf of general agricultural interests. It will ask the Legislature for an appropriation of \$20,000 to improve the coffee trade. It demands the passage of the \$5,000,000 loan bill, and declares that if its demands are refused it will send a commission to Washington.

A RADIUM PHOTOGRAPH Of Articles in a Dark Cupboard-Exposure of 12 Hours Given.

Special Cable Despatch to THE SUM. LONDON, Jan. 11 .- Mr. Ulyett, a photographer, has succeeded in obtaining a photograph by means of radium. He says that he placed a group of articles in a dark cupboard and over them a box with a glass lid containing a very small quantity of radium bromide. An exposure of twelve hours was given, after which the plate was developed in the usual way, though very slowly.

American Artists Exhibit in Rome.

Special Cable Despatch to THE SUN. ROME, Jan. 11.-King Victor Emmanue and Queen Helena opened the exhibition of the works of American artists to-day Mr. George Von L. Meyer, the American Ambassador to Italy, received their Majesties and delivered an address.

Operation on Waldeck-Rousseau. Special Cable Despatch to THE SUN.

PARIS. Jan. 11.-The Matin says that M. Waldeck-Rousseau, the former Prime Minister, is ill and will have to undergo an operation shortly.

Every Theatre in Chicago Must Remain

Closed. CHICAGO, Jan. 11.-Every theatre in Chicago must remain closed until the alterations made compulsory by the new ordinance have been declared satisfactory by city officials. To-night the Council refused to raise the ban upon any theatre until the new ordinance has been finally

Settled.
The Council will meet on Thursday night in special session for that purpose, and the ordinance will probably be passed. Then a commission will be appointed to investigate the condition of each theatre and decide the conditions under which it

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BIG WAVE SWEEPS THE UMBRIA

HER SALOON FLOODED AND THE CHARTHOUSE SMASHED.

One Scaman Sent to Hospital-"Tidal Wave" the Officers Called It, 'Thas So Big-Front Like a Broadway Sky scraper's, but the Ship Weathered It.

Lofty scas lurking in the troubled transatlantic lane pounced on another liner, the Cunarder Umbria, in yesterday, when she was in midocean, on Tuesday and Wednesday, ripping a great hole in her forward deckhouse and almost destroying her chart room and the stateroom of her commander, Capt. T. Stephens. Like the great waves that attacked the American liner New York and the Frenchman La Savoic, the combers that smashed aboard the Umbria seemed to tower over the normal storm crests. Maybe that is why some of the officers of the ship called them tidal

waves.

The first onslaught came on Tuesday afternoon, momentarily halting the progress of the ship and throwing down passengers who had been standing. Luncheon was just over and only a few passengers lingere in the saloon. The wave toppled over the port bow, and, to First Officer Mackenzie, who had charge of the bridge, it looked about as hig as a granite fronted Broadway office building. He vainly tried to take it head on by putting the wheel over.

The thunder of the monster as it broke startled every soul aboard. It battered down a section of the port side of the forward deckhouse, crushed in the steel front ward deckhous, crush d in the steel front of the captain's room on the prominade deck superstructure and cleaned out the chartroom. In the flood which roared aft and down into the saloon were nearly all the ship's instruments. The saloon sky-light, on which part of the big sea fell, was shattered, and a shower of glass fell into the saloon. The captain wasn't in his

room or he might have been dashed to death. The ship was stopped and tarpaulin stretched over the hole forward. A bucket brigade of stewards helped clear the saloon of water. The captain's sextant and chronometer were found in the saloon.

The second invasion worth entering in the log merely twisted stanchions and bent railings. The officers on duty were pre-pared for it and took it as gently as the weather permitted. Several seaman were hurt by being banged against bulkheads or thrown from companion ladders. James Healy, A. B., was sent to the hospital with three ribs broken.

As it was deemed upsafe to hold the con

cert in the main saloon, because of the weakened condition of the skylight framework, it was held in the second cabin sa-

The officers of the Hamburg-American liner Patricia, from Hamburg, refused to take back the declaration they made at Quarantine that the ship was hit by a tidal

Quarantine that the ship was hit by a tidal wave on Jan. 4. Capt. G. Reessing said yesterday that the wave hit the ship twice.

"The seas," he writes, "were the heaviest I have seen since 1882."

Dr. Oscar Radvaner of Roumania was a passenger by the Umbria. He says he has bet the Royal Jockey Club of Bucharest \$200,000 that he can walk (except on the sea) around the world in seven years, including an allowance of one year for possible cluding an allowance of one year for possible sickness. He has been three years at it. He did his most recent stunt with record

Melton Prior, artist for the Illustrated London News, on his way to Japan; R. M. Allen, Capt. Thomas Jones, H. W. Lloyd, W. H. Mathewson, A. H. Postlethwaite, Capt. Sholton, W. Carbus Zimmerman and G. C.

WANT A NEW ELECTION.

District to Protest Against Aldermen Choosing a Successor to Deviln.

Jacob A. Newstead, the Republican leader of the Twelfth Assembly district, announced last night that he would file a with the Board of Aldermen to-day against their naming a successor to James J. Devlin. The latter was elected Alderman on the Tammany ticket in November but has since resigned to accept the clerk-ship of the Thirteenth District Municipal Court. Devlin qualified at the meeting of the Board of Aldermen last Tuesday and after doing so resigned. The salary of an Alderman is \$1,500 a year and the term is for two years. The appointment to the Municipal Court clerkship is good for ten years at a salary of \$3,000 a year.

Newstead and his followers think the selection of a man to fill the vacancy should the people and will advocate another election.

MRS. GARDNER PAID \$200,000. Washington Report Says-Duties on Her Museum Imports.

Boston, Jan. 11.-Word was received here to-day from Washington confirming the report that Mrs. "Jack" Gardner had paid the duties upon the art treasures she purchased abroad and installed in "The Isabella Stuart Gardner Museum in the

According to the Washington report, Mrs. Gardner paid to the Government about \$200,000 in duties, the valuation of her importations being fixed at \$1,000 000. By satisfying the Government's demands Mrs. Gardner is at liberty to open museum to the public or not, just as she

The Weather.

There were three storms in operation yesterday. morning and moving northeastward, attended by brisk to high and increasing northeasterly northeasterly winds on the Middle Atlantic coast Heavy rain of nearly three inches fell at Jackson ville and moderately heavy rain all along the coast from Florida to Delaware. A second storm of increasing energy was central over northern Texas moving northeast and preceded by threatening conditions to the Mississippi Valley. The third disturbance was moving down from north of the Dakotas and Minnesota, with cloudy weather spreading in its front over the Lake regions.

There was an area of high pressure over eastern Canada, throwing off colder weather into the New England States. The temperature was higher change of temperature; wind fresh northeast

In this city the day was fair, with but slight to read to sea level, at 8 A. M., 29.98; 3 P. M., 29.96. The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table

9 A. M. 25° 24° 6 P. M. 29° 12 M. 28° 35° 9 P. M. 28° 3 P. M. 30° 39° 12 M. 27° WASHINGTON FORECAST FOR TO-DAY AND TO-MORROW For eastern New York, fair to-day, preceded by

snow or rain on the coast: fair to-morrow, fresh northwest to north winds. For New Jersey and Delaware, clearing to-day; fair to-morrow, brisk northwest winds. For western New York, partly cloudy to-day and to-morrow except snow to-morrow in west portion light to fresh east to northeast winds.

For New England, fair to-day and to-morrow brisk northwest winds on the coast.
For the District of Columbia, Maryland and Virginia, fair to-day: rain or snow to-morrow resh northwest winds be coming variable.

For eastern Pennsylvania, fair to-day, preceded by snow in southeast portion; partly cloudy to morrow; fresh northwest winds.

CITY CLUB IN SOME GLOOM.

DR. ADLER DISCOURAGED BY M'CLELLAN BANQUET.

Setback for Municipal Nen-Partisanship -Citizens' Union Needs "More Reticence and a Few Ordinary Pessimists," Says George Haven Putnam.

The City Club gave a dinner last night at its new clubhouse, 55 to 57 West Fortyfourth street, to mark the opening of the house. Dr. Felix Adler told the members of the club that one of the greatest discouragements he had had for quite a while was the McClellan dinner of last week.

"I have had some discouragements in the last few weeks," he said, "and one of these has been to see men whom I respect come to this city to celebrate the triumph of Tammany. They came because they thought that political success here was tne same sort as national success, an idea that we of the city club have fought for years. "The whole scheme of municipal reform

is pivoted on the distinction between municipal and State and national politics. It shows how little progress we have made that the best and most prominent leaders of the Democratic party should come here to celebrate the victory of the element which has opposed this distinction."

Dr. Adler said that the City Club must be a centre for propagating municipal patriotism and that some member of the

club ought to write a song in honor of Manhattan.

"Gilder, Gilder, "shouted several people. George Haven Putnam said that he thought Mayor McClellan was young enough to have learned something in the last two

"Two years ago he expressed himself as satisfied with an administration which was characterized but Devery and Gardiner. But let us hope he has learned something since. It is even possible that Mr. McAvoy has learned something since his record was made public a while ago."

Mr. Putnam thought the trouble with the Citizens' Union was too much idealism.

"We need more retirence and a few ordinary."

We need more reticence and a few ordinary pessimists," he said.
Prof. Rowe of the University of Pennsylron. Rowe of the University of Pennsylvania, said that, after all, New York was the best governed city in the country, and that other cities regarded it as the circus side show proprietor did the farmer with thirteen children. The farmer with his thirteen children tried to buy a family "Why, my dear sir," said the proprietor,
"I can't sell you a ticket. Come right in.

It is more important for my educated moose to see your family than for your family to

to see your raining than 10. Journal of the see my moose."

O. G. Villard of the club's board of trustees presented a cup to J. W. Pryor, exsecretary of the club. A set of resolutions commending the administration of Mayor Low was read. R. Fulton Cutting and John E. Parsons also spoke.

29TH RESISTING SCHWARZER. Central Park and Plaza Republican Clubs

Unite. Certain things happened in the Twentyninth Assembly district last night which it is declared are pretty sure to restore to Robert C. Morris, ex-president of the Republican county committee, and his friends the balance of power in the district as opposed to Gustav F. Schwarzler. Schwarzler has recently had Alderman Franklin B. Ware selected as executive member for the district by a majority of the delegates to the county committee, and the district executive committee has selected Alexander T. Mason, the present leader, for reelection. This puts it up to the county committee to say who the leader shall be.

The principal thing that happened last night was the amalgamation of the Central Park Republican Club and the Plaza Republican Club. Each of the clubs held a publican Club. Each of the common publican club. Each voted unanimously to meeting and each voted unanimously to be combine forces in one organization, to be known as the Plaza-Central Park Republi-

The clubs have at least one well defined object in common, and that is the overthrow of Schwarzler and the unification of the party organization in the district. There have been four Republican clubs in the district, each representing an independent factor in the party organization—the York-ville club, which is Schwarzler's stronghold: the Twenty-ninth Assembly District Club, in which Elsberg, Mason and Lauterbach hold forth, and the Plaza and the Central Park forth, and the Plaza and the Central Park clubs. The Plaza club has been in existence since 1895, and has among its members Elihu Root, Senator Depew, Seth Low and many other prominent Republicans. The Central Park Club is much younger, but has shown itself to be full of energy. Mr. Morris is a member of the Central Park Club. The combined club will have clubhouse in the building occupied by Central Park Club, at 132 East Seventyeighth street.

eighth street.

A good many people who are familiar with
the Republican situation in the Twentyninth were surprised to see Alderman Ware
at the meeting of the Central Park Club,
although he is a member of the club. Some
suggested that Mr. Ware was probably sing about that time as to what migh happen to Schwarzler and incidentally to himself if the amalgamation of the club resulted in district unity. Mr. Ware made a short speech, in which he said that he would resist any attempt to unseat him a

TO INDORSE ROOSEVELT. Resolutions Sent Out to All the Indiana District Conventions.

INDIANAPOLIS, Jan. 11.-The Republican district conventions which will select members of the new State central committee will be held in each of the thirteen Congress districts at 1:30 o'clock to-morrow afternoon, and the friends of President Roosevelt are so encouraged over the results of the primaries, which insure Senator Beveridge's control of the committee, that they have sent out resolutions which will be presented

to the conventions. The resolutions praise the rugged honesty of the President, indorse him as a fearless leader and pledge the vote of Indiana to him. The resolutions were prepared yes-terday when it became certain that Senator Hanna would not be a candidate. It was felt that, with the President alone in the field and no prospect of any one else enter-ing it, there could be no possibility of fric-

There was an intimation to-day that Charles Hernly in the Sixth, and Judge Brownlee in the Eleventh district might endeavor to oppose such an expression, and it was also said that State Chairman and it was also said that state Chairman Goodrich, who lives in the Eighth district, was not favorable to the resolutions but would offer no opposition. The friends of the President do not expect any antagonism.

21ST'S BATTLE OF CIRCULARS. Abe Gruber Gets Out a Reply to the Attacks on His Leadership.

Col. Abe Gruber has started to discount the effect of the circulars sent out by the men who are trying to oust him from the Republican leadership of the Twenty-first Assembly district by compiling a circular of his own. This will be sent out to-day. In this letter Col. Gruber seeks to show that while it is true that Mr. Low's majority in the district dropped from 5,718 in 1901 to 3,154 last fall, yet in the neighboring Twenty-third district Mr. Low received a majority of 2,975 in 1901, while in the last election the majority was only 421. Mr. Gruber asserts that if every district in the city had given the same proportionate vote for Mr. Low as the Twenty-first did Col. Gruber states that the Citizens' Union deliberately turned the district over to Tammany by nominating Mr. Seamon to run against Mr. Bennet for Judge of the

ED. MURPHY, JR., TURNED DOWN. SANTOS-DUMONT'S FLYER NO.7

Political and Personal Breach Between Him and the Mayor He Elected.

TROY, Jan. 11.-Between Mayor Hogan and former United States Senator Murphy, there is a political and personal breach which cannot be bridged. Mr. Murphy has told the Mayor that he is the smallest upstart he ever came in contact with. The Mayor has declared that only the Senator's gray hairs protect him from a thrashing. Bitter words have passed, and all because the Mayor, it is charged, has violated his

word.
Mr. Murphy has always been a stickler Mr. Murphy has always been a stickler on agreements. He says one was made with Mr. Hogan and the Mayor broke it. Mayor Hogan is the creation of Mr. Murphy. To make him possible Mr. Murphy made peace with ex-Mayor Conway, who had fought him bitterly for a dozen years. Mr. Murphy furnished the campaign money, said to be close to \$65,000, for primaries and election day expenses. and election day expenses.

Before election Mr. Murphy and Mr.

Conway entered into an agreement as to appointments, and they say Mr. Hogan ratified it. Immediately after election Mayor-elect Hogan kept aloof from Mr. Murphy and refused to see him. After assuming office he filled the offices without consulting with Mr. Murphy and declined assuming office he filled the offices without consulting with Mr. Murphy and declined to honor even one wish of the man who had made him Mayor. He not only turned down Mr. Murphy, but has also put out of office followers of Mr. Conway.

The result is that Mr. Murphy and Mr. Conway have in opposite in opposite. Mr. Conway have joined forces in opposi-tion to the Mayor, and the outlook for him is not of the rosiest. He says he will be the Mayor in fact, if only for one term. It is quite certain that with the present feeling

of the powerful forces arrayed against him Mayor Hogan will not serve more than POPULISTS TO GO IT ALONE. Managers Plan to Gather In All Opposed

to "Trust Rule." LINCOLN, Neb., Jan. 11 .- The Populist national committee will be called to meet at Denver on Feb. 22. This announcement was made to-day by Vice-Chairman Butler. A consensus of prominent members of the party all over the United States has recently been secured, and this is that the Populists should go it alone next year.

Mr. Edmiston says: "The Southern wing of the party, the Mid Roaders, meets at St. Louis on the same day and our idea is to call a national convention in advance of either of the old parties. It looks as though Bryan would be for the Democratic party nominee, whoever he is, and a reunited Democracy whoever he is, and a reunited Democracy will poll a marvellous vote. There are mixed conditions, however, which have much uncertainty, and we intend to name men whom the country knows something about and whose fight on an anti-trust platform will appeal to the people.

"The People's party is not yet out of the running, and I favor trying to cement into one body all who are opposed to trust rule. If we do we won't be third in the race." about and whose fight on an anti-trust

CANFIELD GOES FREE. Justice Sewell Dismisses the Indictment Against Him.

BINGHAMTON, N. Y., Jan. 11.-Justice Albert H. Sewell, in the Supreme Court here this afternoon, dismissed the indictment charging Richard A. Canfield with maintaining a gambling house in East Forty-fourth street, New York city. The trial of a damage suit against the

to hear arguments in the Canfield matter. John B. Stanchfield, Canfield's attorney, asked that the trial proceed.

He was opposed by Assistant District
Attorney Rand of New York city. Justice
Sewell overruled all of Rand's objections,

and thereupon Stanchfield asked that a jury be called. Rand announced that he must return to New York at 2 o'clock, and both Canfield and Stanchfield bade him good-by. Stanchfield suggested that the Court ask the jurors in the Erie Railroad case to step aside while the Canfield jury was called. Justice Sewell replied that on reflection he believed the better way would be to dis-miss the indictment, provided Rand would

not move the case for trial. Stanchfield argued in favor of proceeding with the jury drawing, his desire being to obtain a verdict of not guilty from the jury and thus shut off all further proceedings.

Justice Sewell, in view of telegraphic advice that Justice Forbes had decided this morning at Cortland in the Bucklin case that only the District Attorney had the right to move a case for trial, said he would rather the provisions of the Code be carried out. After a consultation with Attorneys Delehanty, Taylor L. Arms and George B. Curtiss and Canfield, Stanchfield said he was willing to accept the Justice's method, and then asked that the indictment be dis-

The order was immediately granted and the special panel of jurors drawn for the trial of the case was discharged. Mr. kand had returned to New York and was not present when the indictment was dis-

CAN INDICT CANFIELD AGAIN. The news that Justice Sewell had dismissed the Canfield indictment caused no surprise to any one in the District Attorney's office The contingency has been under consideration there for several months, and plans to meet it have been considered. There were two reasons why the prosecutors did not wish to go to trial in Binghamton. One was that they wanted to wait for legislation to compel witnesses like Jesse Lewisohn to testify, if any such legislation can be devised that does not conflict with the Constitution. The other was that for several weeks there has been at large in Broome county a special panel of fifty men named by Justice Sewell from whom the jury would have been selected and that there was nothing to prevent members of the panel from hearing the case discussed.

One of his staff suggested to Mr. Jerome

that a superseding indictment might be found and a warrant be held ready for service as soon as Justice Sewell dismis the indictment. But Mr. Jerome cut that out. "I don't believe Canfield will run away if the indictment is dismissed," he said. "There would be nothing to prevent another indictment being found later at our convenience. If Justice Sewell dismisses this indictment Canfield will never been put in jeopardy, and so we can

Assistant District Attorney Rand, who returned from Binghamton last night, gave out a copy of the affidavit he had presented to the Court to explain his refusal to move the case for trial. It recites that ince the indictment was found the Court of Appeals decision in the Lewisohn case has deprived the people of their chief wit nesses and that a reasonable time should be allowed for the amendment of the law so that witnesses who gambled at Can so that witnesses who gambled at Can-field's can be compelled to testify. He also said that he had received no notice of trial for yesterday, and he recited that he did not "deem it just or loyal to the interests represented by him to proceed" before the special panel of jurors referred to above.

WOMAN HELD FOR STABBING. Her Assistant in a Tailor Shop Says She

Jabbed Her Scissors Into Him. Mrs. Etta Horwitz, a designer of costumes, of 344 East Seventy-second street, was held in the Tombs without bail last night by order of Magistrate Breen, to await the outcome of injuries which, it is alleged, she inflicted with a pair of scissors upon Adolph Smith, a tailor, of 245 Broomestreet. Mrs. Horwitz worked in the shop at 81 Walker street and had Smith to assist her. Yesterday morning she told the man that he had not done his work properly and then, so he says, plunged a sharp pair of scissors into his back.

She denies this. The scissors, she says, were in a pile of cloth and Smith backed up against them in his excitement. A Guaranteed Cure for Piles

AIRSHIP WITH WHICH HE HOPES TO GET OUR \$100,000.

It's Much Bigger Than No. 6 and Has a Wind Compeller at Each End-Has Done Everything, So Far, but Fly-Great for War, if the Powers Only Knew It

Alberto Santos-Dumont, the aeronaut, expected yesterday to complete arrangements to have his airship enter the contest for the \$100,000 prize that the managers of the St. Louis exposition have offered. He arrived here on the Savoie on xunday and is staying at the Waldorf-Astoria. He came here to attend the Automobile

Show and learn all he could about the airship contests that are to be held during the St. Louis exposition. He expected yesterday to meet Willard

Smith, chief of transpotation of the exhibition, with whom he is to make arrangements to take part in the principal contest Mr. Smith telegraphed from Chicago that he was ill and would not arrive for several

"My lawyer is attending to all the details of the contest for me," said the aeronaut; "but I am anxiously awaiting Mr. Smith's arrival to learn everything possible about the contest. The airship that wins that \$100,000 prize must have a minimum speed of 20 miles an hour. I expect to win it, for my airship is built to go at least 30 miles

"My entry was built especially for this contest. I call it No. 7, to distinguish it from the others I have built. It has been complete for a year, and although it has never been tried in the air it has been fully

tested on the ground.
"Just as soon as I see Mr. Smith I want to make arrangements to build a big shed on the exposition grounds to store this machine. It won't fit under the roof of an ordinary building. I will have to build a house 165 feet long, 42 feet high and 27 feet wide. I have such a building outside

Paris.

"When that building is erected I will bring my airship over here. It will be taken apart in France and put together easily here.

"The Santos-Dumont No. 7 differs a limit deal from my other airships. It is

great deal from my other airships. It is about 160 feet long with a diameter of 26 feet. It is twice as long as the No. 6, with which I circled the Einel Tower. No. 6 had only one propeller. No. 7 has a propeller at each end peller at each end.

"The greatest change is where the No. 7 will carry the 72-horse power engine. I call this part of the airship the engine room and it is suspended seven yards below the main frame work. This machine will

weigh about 3,000 pounds.
"I think it is the best ever made." The aeronaut says he is confident his styl of airship would be a great aid to any nation in time of war. No European nation has yet asked him to build an airship for such a

COL. DUNN SEES GOV. ODELL. Afterward He Expresses Himself as Satis

fled With the Situation. ALBANY, Jan. 11.-Col. George W. Dunn. the chairman of the Republican State committee, had a talk with Gov. Odell late this afternoon at the executive chamber. Afterward Col. Dunn expressed him-self as satisfied with the political situation self as satisfied with the pointed statution.

Neither the Governor nor any of his friends
will say for publication that Gov. Odell
desires to succeed Col. Dunn as chairman
of the Republican State committee at the Erie Railroad was interrupted at noon

spring convention.
State Committeeman William C. Warren of Buffalo and Speaker Nixon of the As-sembly talked with Gov. Odell to-day regarding legislative patronage and also put in a good word for Principal Foedick of the Maroden High School in Buffalo, who wants to succeed Charles R. Skinner as State Superintendent of Public Instruc-

Ex-Gov. Frank S. Black and Louis P. Payn also had chats with Gov. Odell at the executive chamber to-day. Mr. Payn is working with might and main to round up Republican leaders throughout the State in opposition to the nomination of Payn confers with Gov. Odell at the executive chamber more often than any other Republican politician in the State. other Republican politician in the State. He can get an audience with the Governor when no one else can.

ARREST OF 100 SALOON MEN. Connecticut's New State Police De Their First Active Work in Bridgeport,

BRIDGEPORT, Conn., Jan. 11.-The police are busy to-night serving about one hun-dred warrants for the arrest of saloon-keepers for violation of the license law permitting gambling on their The latter charge is for having nickel-in-the-slot machines in their sa-loons. The list for which warrants have been issued includes the proprietors of some of some of the best known saloons in the city The arrests were wholly unexpected.
The evidence placed before the prosecuting officers when warrants were asked for was secured by the State police, who have been working in this city for several weeks, and the violations of the license law is in each instance that of selling on

State police was created by the The State police was created by the last Legislature and was only organized a few months ago, and the work in this city is the first big job it has undertaken. The force was created to take the place of the Law and Order League, which existed in this State for years and which carried on the same work until its agents became so well known that it was impossible to secure evidence

NEW BUFFALO RAILROAD.

It Will Connect Lake Shore and Nickel Plate With the Central at Tonawanda. ALBANY, Jan. 11.-The Buffalo Frontier Terminal Railroad Company, of Buffalo, was incorporated with the Secretary of State to-day to build a steam road thirty miles long in Eric county from the lake miles long in Eric county from Shagara shore in the town of Hamburg to the Niagara shore in the town of Tonawanda. The River in the town of Tonawanda. The capital is \$3,000,000 and the directors are William B. Cutler, Frank S. McGraw, Charles W. Goodyear, Frank H. Good-year, George H. Jones, John H. Ince, Arthur D. Bissell, Charles R. Huntley and George S. Field of Buffalo, Henry H. Persons, of East Aurora, and Daniel O'Day, of New York city. This proposed road would connect the Lake Shore and Nickel Plate roads with the New York Cen-Persons.

ALL-NIGHT BAR CLOSED. And Park Row Wants to Knew Why Tam-

tral, Erie and other lines at Tonawanda.

many Is More Strict Than Low. One of the two Park row barrooms which were allowed to keep open all night all through the Low administration was closed up tight this morning at 1 o'clock. The Park row night crowd groaned and asked sarcastically if this was the way Tammany was beginning to open the town

The proprietor of the neighboring place which didn't close, found half a second in the rush and crush of his doubled trade xplain that possibly the man next door had failed to get his all night license.

McGuire Seeks to Oust Dunfee From State Committee. SYRACUSE, Jan. 11.-The announcement

comes from the McGuire camp that John

Dunfee will not be allowed to retain his place on the Democratic State committee if James K. McGuire, the Democratic boss of Onondaga, can help it. Mr. McGuire has just announced his retirement from politics for the tenth time, but Mr. Dunfer says that he is only trying to get in deeper. At any rate, he will be on hand in Washington when the Democratic national committee assembles. There has always been Itching, Ellnd, Bleeding or Protruding Piles, Your druggist will refund money if PAZO OINT-MENT falls to cure you in 6 to 14 days. foc.—Adv. bad blood between McGuire and Dunfee but of late a truce has been patched up.

MORE HOUSESMITH' FIGHTS. Scrap Over Parks Workmen at the Times

Building-Riot at Union Meeting. While peace negotiations are on between the Ironworkers' Local No. 2 and the New York Housesmiths' Union, there was a free fight yesterday morning between members of both organizations over the employment of the former on the new Times building at Forty-second street and Broadway. About forty members of Local No. 2 had been at work under permits from the new house-

work under permits from the new housesmiths union, entitling them to work for
a week after paying \$5, half of the
iritiation fee of the new union. The permits were to be renewed on paying \$5 more.
The permits expired yesterday. About
twenty-five of the men agreed to go to the
union headquarters and have them renewed. Fifteen more remained at the
building. Later fifteen members of the
new union came to work in place of these
fifteen.

They were met with cries of "soab" and "traitor," and in a memont there was a general fight. Twelve policemen arrived on a run and stopped it. There were no

Last night the new Housesmiths' Union Last night the riew Housesmiths' Union held a meeting at Teutonia Hall to elect officers. Capt. Gallagher of the East Twenty-second street station heard, as he has before, that there might be trouble at the meeting, so he had more than the usual number of policemen on hand. He was present himself with fifteen men, Roundsman McAuliffe and Sergt. Sullivan. The meeting was secret and the cops were not admitted. The session had not been on long though before they heard sounds of a lively rumpus inside. Capt. Gallagher tried to get in and was told to keep out. As it sounded like a riot he told his men to break in the door. When he got inside he saw a man with a blackjack trying to hit Secretary McGuire of the trying to hit Secretary McGuire of the

Thomas Hagan, a bridge worker of 7 Third avenue, was arrested, and then the captain had his men search the rest of the men for weapons, but they didn't find any.
When that had been accomplished the meeting was dispersed by the police.
Hagan was locked up.

FIGHTING FOR THEIR JOBS. Non-Union Men Want Injunction to Prevent Their Dismissal.

Justice Dickey of the Supreme Court in Brooklyn listened to argument and reserved decision yesterday on a motion to make permanent a temporary injunction granted by Justice Marean, enjoining the United States Printing Company from discharging a number of its employees on the ground that they are non-union men. The suit was begun by William F. Mills, George R. Driscoll and William Kissam. An interesting point in the proceedings is that William Kissam, while an employee of the company, is also a stockholder. The company entered into a contract with Stereotypers' Union No. 1 of New York and Electrotypers' Union No. 1 of New York, by which the company agreed to discharge all its employees who, on Jan. 1, had not

joined either of the unions.

Gen. Wingate, representing the plaintiffs and 200 other employees, said that the trouble began when the company had a large num-ber of contracts to fill. A strike was then ordered and continued until the company agreed to "unionize" the shops. Under the agreement entered into between the unions and the company, the latter agreed only to employ union men after Jan. 1. This, Gen. Wingate contended, was a con-Anis, Gen. Wingate contended, was a conspiracy and was against public policy, and therefore void, As far as Mr. Kissam was concerned, Gen. Wingate said, it was a violation of his rights as a stockholder. On behalf of the company, counsel said that it had only exercised sound discretion that it had only exercised sound discretion in making the agreement. He said there was nothing in the agreement that prevented the men from joining the union and obtain-ing the protection afforded by such powerful organizations. Briefs were submitted.

GETTING AWAY WITH THE SNOW

Inspector Says Department Is Doing Its Work All Right-Some Folks Kicking. Complaints have been made to the Street Cleaning Department that certain side streets have not been cleared of snow. Similar complaints have always been made when there has been a heavy snowstorm Under Col. Waring the side streets, especially those in the residential district, were always left until the main arteries of traffic

had been attended to.

This administration has twenty-five more miles of streets to clean than Col. Waring had. The Street Cleaning Department has a schedule of snow removal, which includes the financial, dry goods and shopping districts, Broadway and Fifth avenue the streets leading to the ferries and the avenues on which traffic is heaviest. that he was satisfied with the progress that was being made. He said that if the weather remained favorable he expected that the streets included in the depart-

ment's schedule would be cleaned Wednesday night. "I have been connected with this department for nine years," Mr. Bouton said, "and I do not remember a snowstorm that was followed by such unfavorable weather conditions. Since the snow fell practically none of it has melted.

"Everything possible has been done to remove the snow. We have hired all the man and carts that are available. To-day men and carts that are available. To-day we have had 10,000 men and 3,500 carts at work. Broadway is cleared from the Battery to Forty-seventh street. The rest of Broadway is under the control of the Rapid Transit Board. Third avenue is practically cleared from where it joins the Bowery to the Harlem River. We are almost through with the Bowery and Fifth avenue."

POSTUM CEREAL.

MINER HIT A Gold Miner on the Coffee Question.

Many a rugged constitution has broken down by use of coffee:

"I and my son are miners and have been strong coffee drinkers. I will add I followed mining for fifty years. Nearly three years ago my son had palpitation of the heart so bad that after a hard day's work he would be almost unable to get his breath when lying down, and I was a victim of constipation, headache and could not sleep soundly.

"So I pulled up stakes one day and started to see a doctor, and, curiously enough, an old acquaintance I met on the way steered me off. We stopped and talked and told each other all the news, and I told him about our troubles. He said it was coffee doing the work and that using Postum in place of coffee cured him of almost exactly the ailments I described. "So instead of going to the doctor's I

sent for some Postum, although I did not have much faith in it, but to my great joy it turned out all right and after we qui coffee completely we both began to get well, kept it up, and are now both of up strong, well men, with none of the old troubles. A miner is supposed to be able to stand great hardships, but we could not stand coffee. It was killing us. Anvone following the directions on the package of Postum will have a far better drink than

he can get from the best coffee. "I think every coffee toper should know Postum will cure him of his ailments, besides it is such a refreshing drink." Name given by Postum Co., Battle Creek, Mich. Coffee hurts nearly all who drink it and soaks some people very hard. There is a sure way out of the trouble by quitting coffee and using Postum.

Look in each package for a copy of the famous little book, "The Road to Well-

Regimered Trade Mark

Annual Sale

Blankets. All high-grade goods of the best manufacture, specially priced for our January Sale, as follows: Single Bed size \ \$4.00 4.50 6.25 7.00 7.75 10.50 Reduced from.. \$ 4.50 5.00 7.00 8.00 9.00 12.00 Dbl. Bed size. . | \$4.75 5.75 6.75 9.00 10.75 12.00 Reduced from. . | 5.00 6.50 7.50 10.50 12.50 14.00 Ex. Dbl. Bed size | \$13.50 17.50 20.00 22.50 26.00 Reduced from.... | 15.00 20.00 22.50 25.00 30.00

Extra Long Blankets for Brass Beds.

72x108 inches, at.........\$10.00 11.50 16.00 Reduced from...... 12.50 13.50 18.50 90x106 inches, at......... 14.00 17.00 21.50 Reduced from 16.50 20.00 25.00

This Sale includes as well Table Linen, Bed Linen, Towels, Beds and Bedding, French Lingerie.

32-page Illustrated Booklet about these goods mailed free on request. James McCutcheon & Co.

14 West 23d Street.

Practically a Train **Every Hour**

Between New York and Buffalo and Niagara Falls, by the New York Central. See timetable in this paper, or consult ticket agents.

GUILTY OF WIFE KILLING. George Huber of This City to Be Sentenced

for Manslaughter. PITTSFIELD, Mass., Jan. 11. - George Huber of New York, who shot and killed his wife Gertrude in Monterey in September, 1902, was arraigned in the Berkshire Superior Court this morning. He pleaded guilty

rior Court this morning. He pleaded guilty of manslaughter, this plea being accepted by District Attorney Noxon.

Huber arrived in Monterey on Saturday, Sept. 10, 1902, and found his wife living at a cottage in that town with Andrew C. Fearing of New York. After attempting to shoot Fearing, Huber shot his wife and she died within an hour. In January, 1903, he was arraigned in the Superior Court and pleaded guilty of murder. This plea was not allowed and a plea of not guilty was entered.

Later it was arranged that the Government should accept a plea of guilty of manslaughter. Huber will be sentenced this week.

Irish Whiskey appeals to those who must have a PURE whiskey, irrespective of cost.

John Jameson commands the highest price

of any spirits distilled.

BUSINESS NOTICES. Mrs. Winslow's Soothing Syrup for children teething, softens the gums, reduces inflammation, allays pain, cures wind colic, diarrhæa, 25c. a bottle.

throughout the United Kingdom

DIED. CLARK.-At Port Chester, N Y., Jan. 11, 1904, Harry F., son of Harvey and Annie Clark, in the 24th year of his age.
Funeral services at his late residence, 342

Westchester av., on Wednesday, Jan. 13, at DONALDSON -At his residence Fast Orange. Sunday, Jan. 10, of pneumonia, Andrew Don aldson. Interment at Cincinnati, Ohio.

KING.—At Alken, S. C., on Jan. 8, 1904, Mary Le Roy King, daughter of Mary Augusta Le Roy and the late Edward King of Newport, R. I. Funeral services will be held at the Church of the Incarnation, Madison av. and 35th st., on

Tuesday, Jan. 12, at 11 o'clock. Interment at LIVINGSTON .- On Jan. 9, at Paris France, John Lansing Livingston of New York, in the 74th year of his age.

MAURER.-Suddenly, at his home, 143 West 79th on Jan. 10, of peritonitis, Henry Maurer. in the 74th year of his age. Services to be held Tuesday, Jan. 12, at 12 o'clock noon, at the Church of the Divine Paternity, 76th st. and Central Park West. Kindly omit wers. Interment private.

MYERS.-At Poughkeepsie, N. Y., Jan. 11, 1904. Horace Allen Myers, youngest son of the late Michael J. and Mary A. Myers. uneral services at his late home, Brookside, Wednesday, Jan. 13, at 2:30 P. M. PINCKNEY.-On Monday, Jan. 11, 1904, at his

residence, 671 Glenmore av., Brooklyn, George Benedict Pinckney. Notice of funeral hereafter. POLHEMUS .- On Monday morning, Jan. 11, 1904. Mary Augusta, cldest daughter of the late Funeral services at her late residence, 46 Voorhis

av., Nyack, N. Y., on Wednesday, Jan. 13, at 3:30 P. M. Carriages will meet train leaving foot West 23d et., 1:10 P. M.: Chambers st. 1.20 P. M., via Northern Railroad of New Jersey. RIKER .- On Jan. 10, 1904, in New York city, Helena Palmer Thurber, dearly beloved wife of Glibert Ketchum Riker, in her 43d year. Funeral services will be held in St. Luke's Chapel

Stamford, Conn., on Tuesday, Jan. 12, 1904, at 8:30 P. M. Carriages will be in waiting for the 2 P. M. train from the Grand Central Depot. TILLOTSON .- On Jan. 11, Charles H. Tillotson, formerly of Rhinebeck, Dutchess county, N. Y. Funeral from his late residence, 51 West 36th st on Wednesday, Jan. 13, at 10:30 o'clock A. M. clatives and friends of the family are invited

TIMMES .- On Jan. 8, 1904, at his residence, John Timmes, ex-Major of Battery C. Funeral on Thursday, Jan. 12, at 9:30 A. M., from his late residence, 169 Bushwick av., corner Stagg st., to Holy Trinity Cemetery. No lowers, please.

to attend without further notice.

COWNSEND .- At his residence, 117 East Fifty seventh street, Sunday, Jan. 10, 1904, of pneu monia, James Rodman Townsend. Notice of funeral hereafter. WOODWARD .- Entered into rest, at the house of his son-in-law, George K. Swinburne, East 56th st., Harrison Ely Woodward, formerly

on, in the 79th year of his age Funeral service on Wednesday morning at 10

CEMETERIES. Great Pinelawn Cemetery, on L. L. R. Undertakers investigate. Office, 25 Broad St.